

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**CHRISTOPHER JORDAN BAKER  
ADC # 132024**

**PLAINTIFF**

**v.**

**CASE NO.: 5:07CV00023-JMM/BD**

**LARRY B. NORRIS, *et al.***

**DEFENDANTS**

**RECOMMENDED DISPOSITION**

**I. Procedure for Filing Objections**

The following recommended disposition has been sent to United States District Court Judge James M. Moody. Any party may serve and file written objections to this recommendation. Objections should be specific and should include the factual or legal basis for the objection. If the objection is to a factual finding, specifically identify that finding and the evidence that supports your objection. An original and one copy of your objections must be received in the office of the United States District Court Clerk no later than eleven (11) days from the date you receive the Recommended Disposition. A copy will be furnished to the opposing party. Failure to file timely objections may result in waiver of the right to appeal questions of fact.

Mail your objections and “Statement of Necessity” to:

Clerk, United States District Court  
Eastern District of Arkansas  
600 West Capitol Avenue, Suite A149  
Little Rock, AR 72201-3325

## **II. Background**

On February 5, 2007, Plaintiff filed a pro se Complaint (docket entry #2) under 42 U.S.C. § 1983 while he was incarcerated in the Arkansas Department of Correction (“ADC”), Cummins Unit. He was granted leave to proceed *in forma pauperis* by Order of February 27, 2007 (docket entry #3).

On August 8, 2007, Plaintiff was ordered to submit updated financial information or a new request to proceed *in forma pauperis* (docket entry #31) by September 8, 2007, based on information provided to the Court that Defendant is no longer incarcerated at the ADC.

Plaintiff has failed to submit current information regarding his financial status in order for the Court to determine whether he remains eligible for *in forma pauperis* status. He was cautioned that failure to comply could result in the dismissal of his lawsuit. There is nothing in the record to indicate that the August 8, 2007 Order that was sent to Plaintiff’s new address was undeliverable.

The Court has further been informed by Plaintiff’s appointed counsel that since Plaintiff’s release from prison, his appointed counsel has lost contact with Plaintiff, rendering counsel unable to properly pursue this case.

**III. Conclusion**

The Court recommends that the District Court dismiss the Complaint without prejudice, under Local Rule 5.5(c)(2), for failure to prosecute and failure to respond to the Court's Order of August 8, 2007.

DATED this 27th day of September, 2007.



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UNITED STATES MAGISTRATE JUDGE